



THE SECRETARY OF DEFENSE  
WASHINGTON, DC 20301

96F-0878  
CASE



8 APR 1995

Honorable Newt Gingrich  
Speaker of the House of Representatives  
Washington, DC 20515

Dear Mr. Speaker:

I am pleased to provide the enclosed Report to Congress on Nonlethal Weapons in accordance with Section 219 of the National Defense Authorization Act for Fiscal Year 1996.

The report addresses Congress' concerns and specific questions associated with executive agency; service requirements; development and deployment time frames; military doctrine, legal, policy, and operational issues for nonlethal weapons.

This report is a product of a senior level review group formed to advise on the requirements for and direction of the Department's nonlethal effort.

An identical letter and copy of the report has been sent to the President of the Senate.

Sincerely

*William J. Perry*

Enclosure:

Report to Congress Nonlethal Weapons

cc:  
President of the United States Senate

#802



8 APR 1995

Honorable Al Gore  
President of the Senate  
Washington, DC 20510

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Report to Congress, Nonlethal Weapons

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Speaker of the House of Representatives



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# **Report to Congress**



## **Nonlethal Weapons**

## **REPORT ON NONLETHAL WEAPONS**

The following is in response to the report requirements in the National Defense Authorization Act for Fiscal Year 1996:

**1. The name of the office or military service assigned responsibility for the nonlethal weapons program by the Secretary of Defense and a discussion of the rationale for such assignment.**

The U.S. Marine Corps has been assigned as the DoD Executive Agent for nonlethal weapons.

**Rationale:** The nonlethal program is a cooperative venture involving all the Services, the Office of the Secretary of Defense, and the Joint Staff. Current draft policy for Nonlethal Weapons (NLW) describes NLW as those systems explicitly designed and intended to provide U.S. military forces effective anti-personnel/anti-materiel (AP/AM) capabilities in tactical situations as an alternative to the use of deadly force, when appropriate. Typical scenarios include crowd control, military police actions, close proximity encounters, etc. The USMC mission includes these scenarios, and the Marines are frequently involved in such situations. Consequently, the USMC is well qualified to integrate Service efforts for such tactical AP/AM missions.

**2. The degree to which nonlethal weapons are required by more than one of the armed forces.**

NLW are not a substitute for deadly force, but provide the Services with an effective alternative to lethal force when appropriate.

Each of the Services has requirements for nonlethal weapons. The USMC and U.S. Army have identified formal requirements and Mission Needs Statements. The Air Force has requirements for NLW in its Special Forces, Security Police, and Search and Rescue missions. The Navy is in the process of identifying requirements and sponsorship.

**3. The time frame for the development and deployment of such weapons.**

Some anti-personnel items are available now; a number of them were obtained as commercial-off-the-shelf items and were provided for Marine Corps operations in Somalia and Army operations in Haiti. An example of these items is "rubber bullets". Other items made available in limited quantities in the USMC Somalia inventory were the R&D products of military and Department of Energy laboratories; examples include 40-mm sponge rounds, illuminating and designating lasers, and slicky/sticky substances. Items expected to be available in the next two to three years are primarily anti-personnel. They include a variety of non-penetrating projectiles, entanglements, and an acoustic device. These items are intended to be ready for a production decision by FY98.

**4. The appropriate role of the military departments and defense agencies in the development of such weapons.**

As Executive Agent for NLW development, the USMC will serve as the primary DoD point of contact for NLW; be responsible for ensuring coordination between the materiel and combat development communities; provide program guidance, to include ensuring appropriate user testing and evaluation; coordinate joint requirements, training, and doctrine efforts; and recommend coordinated funding levels for research, development, test and evaluation, training, and production.

The other Services, in coordination with the Executive Agent, will generate NLW mission needs and requirements, develop and procure NLW, develop doctrine and operational concepts, and provide for NLW training. NLW applications may require experimentation to demonstrate operational usefulness and aid in tactics development. This will likely include the Advanced Concepts Technology Demonstration process.

The Services will be responsible for programming the resources for those NLW they require to respond to their mission needs.

Other office responsibilities follow: the Office of the Assistant Secretary of Defense (SO/LIC) leads policy development; Offices of General Counsel and Judge Advocates General perform legal review; the Joint Staff leads efforts to establish Rules of Engagement; and the Office of the

Under Secretary of Defense (Acquisition and Technology) leads oversight of the acquisition process.

The DoD will work with the Departments of Justice, Energy, and Transportation to transition technology and applications for their uses.

**5. The military doctrine, legal, policy, and operational issues that must be addressed by the Department of Defense before such weapons achieve operational capability.**

The following issues must be addressed:

Doctrine. Ensure the development and revision of appropriate military doctrine, tactics, techniques, and procedures - Joint and/or Service - for the employment of NLW.

Ensure that military doctrine is consistent with DoD policy for NLW.

Legal. Ensure that the research, development, possession, and employment of NLW are consistent with U.S. and/or international law and treaties.

Policy. Development of clear policy guidance for NLW is a high priority. The Office of the Secretary of Defense has drafted a DoD Directive specifying policy for NLW. The Directive provides a definition of NLW, explains their role in our defense posture, and outlines responsibilities among OSD, the Joint Chiefs, the Services, and the CINCs. A management structure will be established to implement NLW policy.

Operational. Operational issues to be addressed include development of concepts of operations and rules of engagement for use of NLW; logistic and mobility requirements for employing NLW, e.g., special handling, maintenance or post-employment clean-up; and bio-medical effects of anti-personnel NLW.